

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant for Offender Under Supervision

Name of Offender: Anthony Terrell Davis

Docket Number: 04-00345-001

PACTS Number: 39832

Name of Sentencing Judicial Officer: HONORABLE DENNIS M. CAVANAUGH
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 12/18/2007

Violation of Supervised Release: 09/27/10

Original Offense: UNLAWFUL TRANSPORT OF FIREARMS BY A CONVICTED FELON

Original Sentence: 48 months imprisonment; 3 years supervised release.

VOSR Sentence: 7 months imprisonment; 2 years supervised release.

Type of Supervision: Supervised release

Date Original Supervision Commenced: 12/18/07

Reimposition Commenced: 11/16/10

Assistant U.S. Attorney: Anthony Moscato, 970 Broad Street, Room 502, Newark, New Jersey 07102,
(973) 645-2700

Defense Attorney: Martin S. Goldman, Esq., 1002 Broad Street, Newark, New Jersey 07102

PETITIONING THE COURT

- ☒ [X] To issue a warrant
☐ [] To issue a summons

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number **Nature of Noncompliance**

1. The offender has violated the standard supervision condition which states 'You shall not commit another federal, state, or local crime.'

On July 4, 2011, Davis was arrested by the Newark Police and charged with Possession of a Controlled Dangerous Substance (3 counts) and Attempting to Elude the Police.
2. The offender has violated the special supervision condition which states 'You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S.

Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

Davis used a controlled substance on or about April 6, 2011 as evidenced by his positive drug test for Marijuana submitted on April 6, 2011. The offender used a controlled substance on or about July 4, 2011, as evidenced by his positive drug test for Marijuana on July 6, 2011.

3. The offender has violated the standard supervision condition which states 'You shall notify the probation officer within 72 hours of any change of residence.'

On July 4, 2011, Davis was living at 53 Sunset Avenue in Newark; he did not notify his probation officer of his residence change.

I declare under penalty of perjury that the foregoing is true and correct.

Thomas Stone

By: Thomas Stone
Senior U.S. Probation Officer

Date: 8/3/11

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other

[Signature]

Signature of Judicial Officer
August 4, 2011

Date

**UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY**

WILFREDO TORRES
CHIEF PROBATION OFFICER

THOMAS C. MILLER
DEPUTY CHIEF PROBATION OFFICER

August 3, 2011

**SUPERVISION UNIT
20 WASHINGTON PLACE
6TH FLOOR
NEWARK, NJ 07102-3172
(973) 645-6161
FAX: (973) 645-2155**

www.njp.uscourts.gov

Honorable Dennis M. Cavanaugh
United States District Judge
U.S. Courthouse & Post Office
Newark, New Jersey 07102

**RE: DAVIS, Anthony
Supervised Releasee
Dkt. No. 04-CR-00345-001
Request for Violation of Supervised Release
Hearing & Issuance of a Warrant**

Dear Judge Cavanaugh:

On December 18, 2007, the above referenced was sentenced by Your Honor to 18 months imprisonment (time served) and immediately began a three-year term of supervised release, for the offenses of Unlawful Possession of a Firearm by a Felon (2 counts).

On September 27, 2010, Davis pled guilty to Violation of Supervised Release (narcotic use) and supervision was revoked. He was ordered to serve 7 months in prison and supervised release was reimposed for two years. He began his second term of supervision on November 16, 2010.

On July 4, 2011, Newark Police allege that Davis possessed illegal drugs and attempted to elude capture. On said date, the offender drove a motor vehicle with tinted windows and police signaled him to stop. When he pulled over, police observed him discard a lit marijuana "cigar" from the 2000 Dodge Intrepid. After providing his credentials to police, Davis fled from the scene at a high rate of speed and was observed recklessly driving through the surface streets of Newark. Davis's car eventually broke down and he was arrested without further incident several blocks away from the scene of the original stop. A clear baggie containing a small amount of marijuana was recovered from the vehicle. Davis was released from custody within 24 hours of his release.

As previously required and instructed, Davis reported to the probation office on July 6, 2011. He then advised he received several motor vehicle summonses. A urine test taken at that time was returned positive for marijuana. Additionally, Davis tested positive for marijuana use on April 6, 2011, and he failed to notify Probation regarding a residence change in June 2011.

As the Court is aware, Davis has 14 prior felony arrests, including multiple convictions for Robbery, Theft, and Weapons offenses as well as Carjacking and Burglary. In September 2011, he is slated to stand trial for an Armed Robbery charge which is alleged to have occurred in 2008. Given the

facts of the pending state cases, and taking into consideration the nature of instant violations, it appears a violation hearing is warranted. We also recommended that Your Honor issue a warrant for Davis' immediate arrest.

If Your Honor concurs with our recommendation, please sign the enclosed *Probation Form 12C*. If Your Honor requests an alternative course of action, please advise. We will make ourselves available should Your Honor wish to discuss this matter.

Respectfully submitted,

WILFREDO TORRES, Chief
U.S. Probation Officer

A handwritten signature in black ink that reads "Thomas Stone". The signature is written in a cursive, flowing style.

Thomas Stone
Senior U.S. Probation Officer /
Intensive Supervision Specialist

Enclosure.